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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/248,419	02/11/1999	ROBERT P. MADDING	IMA-0009	8739

7590

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EXAMINER

FRANKLIN, JAMARA ALZAIDA

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 01/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/248,419

Applicant(s)

MADDING ET AL.

Examiner

Jamara A. Franklin

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-- *Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 14, 16, 19, 22, 28 and 35-65 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 28, 35-37 and 41-55 is/are allowed.
- 6) ☒ Claim(s) 14, 16, 22, 38-40, 56-58 and 60-65 is/are rejected.
- 7) ☒ Claim(s) 19 and 59 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

Acknowledgment is made of the receipt of the amendment filed 10/2/01. Claims 14, 16, 19, 22, 28, and 35-65 are currently pending.

### *Claim Rejections - 35 USC §103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 14, 16, 39, 40, 56-58, and 60-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belluci et al. (US 5,635,012) (hereinafter referred to as 'Belluci') in view of Dries et al. (UD 5,986,670) (hereinafter referred to as 'Dries').

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Belluci teaches a system for producing a personal ID card. A video camera 46 may be used to capture the image of a subject 48 and feeds the image to a personal computer 51. The image is digitally compressed and stored in a computer database (col. 6, lines 32-34). A two-dimensional machine readable code 30 associated with the subject 48 is imprinted onto the surface of a card 60. The code 30 may be encoded with textual information identifying the subject 48 (col. 6, lines 54-65). A scanner 64 reads encoded information 70 of the card 60 and feeds the information into the computer 51. Encoded data, including photographic and textual, may be regenerated from the code 30 and displayed on the computer screen.

Belluci lacks the teaching of storing the identifying name of the element in the memory of the video camera system.

Dries teaches a conventional video camera 16 for capturing images (col. 5, lines 24-49). A user database stores the image and the image name. (col. 37, lines 12-17).

One of ordinary skill in the art would have readily recognized that storing the corresponding image name along with the image is beneficial since, in this manner, the image is always identifiable to one that wishes to retrieve the image from memory. Therefore, it would have obvious, at the time the invention was made, to modify the teachings of Belluci with the storage of the image name along with the image in a memory as taught by Dries.

3. Claims 22 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belluci/Dries as applied to claim 14 above, and further in view of Wakabayashi (US 5,903,706) (hereinafter referred to as 'Wakabayashi').

Belluci/Dries do not teach a removable memory module.

Wakabayashi teaches a video camera unit 5 featuring a card slot 13 for receiving a PCMCIA card 14 (memory module) (col. 4, lines 44-51; col. 9, lines 22-26; fig. 1).

The benefit of coupling a PCMCIA card to a video camera is the added storage space and memory provided to a video camera which may be in frequent use or used for a plurality of operations, thereby giving the user a wider range of storage options. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the teachings of Belluci/Dries with the PCMCIA card as taught by Wakabayashi.

*Allowable Subject Matter*

4. Claims 28, 35-37, and 41-55 allowed.
5. Claims 19 and 59 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. The following is an examiner's statement of reasons for allowance: Although the prior art of record teaches video camera systems having a variety of applications and functions, the art fails to teach, or fairly suggest either alone or in combination thereof, a method and system for performing a videographic survey of a plurality of survey elements comprising the steps of:  
  
preparing a videographic survey database on a base computer operating a database program for storing and organizing data, the videographic survey database including a separate element record for each of the survey elements with each separate element record comprising a

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first data field for storing an identifying name of the survey element and a plurality of other data fields associated with the identifying name for storing other data associated with the survey element, the other data fields including data fields for storing any one of, a video image, an audio data file, a text data file, and graphics data file;

transferring the separate element record for each element of the survey from the base computer to a memory module contained within a video camera system;

associating a barcode, including a bar pattern representative of the identifying name of the element, with each of the survey elements;

selecting one of the survey elements of the videographic survey for recording a video image thereof;

scanning the barcode associated with the selected one of the survey elements with a barcode scanner which is in direct communication with the video camera system to determine the identifying name of the selected element, thereby identifying the selected element, thereby identifying the selected element to the video camera system;

recalling the element record associated with the selected element from the memory module;

capturing a video image of the selected element with the video camera system;

converting the video image to a digital video image within the video camera system; and,

storing the digital video image in an appropriate data field of the element record. Also, determining the parameters relating to conditions of capturing of the video image of the element reads over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Response to Arguments*

7. Applicant's arguments with respect to claims 14, 16, 19, 22, 28, and 35-65 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Johnson et al. (US 5,748,755) teach picture checks.

Bennett (US 5,642,160) teaches a digital image capture system for photo identification cards.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamara A. Franklin whose telephone number is (703) 305-0128. The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703)308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Jamara A. Franklin  
Examiner  
Art Unit 2876

JAF  
December 20, 2001

A handwritten signature in black ink, appearing to read 'Karl D. Frech', written in a cursive style.

KARL D. FRECH  
PRIMARY EXAMINER